

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

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SEP 28 2015

AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

**ASTRAZENECA AB,
AKTIEBOLAGET HASSLE,
ASTRAZENECA LP, and
ZENECA INC.,**

**Plaintiffs and
Counterclaim-Defendants,**

v.

**MYLAN LABORATORIES LIMITED and
MYLAN INC.,**

**Defendants and
Counterclaim-Plaintiffs.**

Civil Action No. 3:12-cv-01378-MLC-TJB

Judge Mary L. Cooper
Magistrate Judge Tonianne J. Bongiovanni

Document Filed Electronically

SCHEDULING ORDER

THIS MATTER having been opened to the Court by counsel for Plaintiffs AstraZeneca AB, AktieBolaget Hassle, AstraZeneca LP, and Zeneca Inc. (collectively "AstraZeneca") and counsel for Defendants Mylan Laboratories Limited and Mylan Inc. (collectively "Mylan") for the entry of a revised scheduling order in the above matter; and the parties having previously met and conferred on a proposed schedule and agreed on some dates but differed on others; and on September 2, 2015, the parties having each submitted scheduling proposals to the Court and having provided the legal and practical bases for their respective proposals; and the Court having fully reviewed and considered the parties' submissions and arguments; and the Court having considered the status of these proceedings and the pleadings herein, and having concluded that the proposal submitted by Mylan would be more consistent than AstraZeneca's proposed

schedule in consideration of the present status of these proceedings and the remaining pretrial matters that must be concluded herein, and in further consideration of the practical realities of this case as determined by this Court in its discretion; and for other and good cause having been shown;

IT IS on this 25 day of September, 2015, hereby

ORDERED that the following schedule shall govern the above action:

Event	Date
AstraZeneca identifies asserted claims	September 1, 2015
Each party to identify any term for which it believes claim construction is necessary, along with the proposed construction for each such term	September 8, 2015
Joint claim construction and prehearing statement	September 15, 2015
Opening claim construction briefs and supporting declarations	October 2, 2015
Parties' completion of expert discovery related to opening <i>Markman</i> submissions	November 2, 2015
Responsive claim construction briefs and supporting declarations	December 4, 2015
Deadline to propose schedule for claim construction hearing	December 15, 2015
Telephone conference	December 16, 2015 at 10:00 am, or earlier by request of the parties. Defendants to circulate dial-in information.
<i>Markman</i> hearing	TBD
Completion of depositions in India and willfulness discovery	December 18, 2015
Update liability contentions	10 days after <i>Markman</i> opinion
Expert reports for which a party bears the burden of proof	30 days after <i>Markman</i> opinion
Responsive expert reports	30 days after opening reports

Event	Date
Reply expert reports	14 days after responsive reports
Close of expert discovery	21 days after reply reports
Dispositive motions (if any) to be filed no later than this date	21 days after close of expert discovery
Final pretrial conference	TBD
Trial on liability and willfulness	April/May 2016 or at Court's convenience
— Contingent on determination of liability at trial —	
Damages contentions	30 days after liability decision
Completion of damages fact discovery	120 days after damages contentions
Completion of damages expert discovery	120 days after completion of damages fact discovery
Final pretrial conference	TBD
Damages trial	February/March 2017 or at Court's convenience

*Telephone Conferences
to be Initiated by
Plaintiff*

*November 10, 2015
at 10 AM*


HONORABLE TONIA J. BONGIOVANNI
UNITED STATES MAGISTRATE JUDGE